

MONDAY, FEBRUARY 29, 1966

SIXTY-THIRD LEGISLATIVE DAY

The House met at 5:00 P.M. and was called to order by Mr. Speaker Murray.

The proceedings were opened with prayer by Robert McFarland, Gladeville Missionary Baptist Church, Gladeville, Tennessee, guest of Representative Joe Bell.

Representative Joe Bell led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present 94

Representatives present were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray -- 94.

The Speaker announced that Representative Drew was excused because of illness.

The Speaker announced that Representative Head was excused because of personal reasons.

The Speaker announced that Representative Peroulas was excused because of emergency reasons.

The Speaker announced that Representative Whitson was excused because of business.

REGULAR CALENDAR

House Bill No. 1839 -- Courts, General Sessions -- Allows general sessions judges to receive copy of printed slip acts.

Rep. Naifeh moved that House Bill No. 1839 be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes	94
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray -- 94.

A motion to reconsider was tabled.

House Bill No. 1765 -- Teachers -- Eliminates 7 1/2 percent local funding requirement for appropriations to foundation program to increase teacher salaries to \$18,500. Amends TCA 49-3-306.

Rep. Naifeh moved that House Bill No. 1765 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray -- 95.

A motion to reconsider was tabled.

House Bill No. 1501 -- Bradley County -- Prohibits garbage generated outside county from being disposed of within county.

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Rep. Bivens moved that House Bill No. 1501 be passed on third and final consideration.

Rep. Miller moved to amend as follows:

Amendment No. 1

Amend House Bill No. 1501 by deleting from Section 1(a) in the first sentence the following words:

"the Bradley County landfill"

and substituting instead the following words:

"a landfill owned by Bradley County"

AND FURTHER AMEND in the second sentence of Section 1(a) the following words:

"Bradley County landfill"

and substituting instead the following words:

"landfill owned by Bradley County"

AND FURTHER AMEND by deleting from Section 1(c) the words and figures "twenty-five dollars (\$25.00)," and substituting instead the words and figures "two hundred fifty dollars (\$250.00)".

On motion, the amendment was adopted.

Thereupon, Rep. Bivens moved that House Bill No. 1501, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray -- 93.

A motion to reconsider was tabled.

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***House Bill No. 1499 -- Alcoholic Beverages -- Removes requirement of annual renewal of beer wholesaler bonds. Amends TCA 57-5-106, 57-6-107.**

Rep. Bivens moved that House Bill No. 1499 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	91
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Napier, Odom, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray -- 91.

A motion to reconsider was tabled.

House Bill No. 1732 -- Taxes -- Requires sales tax to be collected for solicitations by certain out of state persons; provides for in lieu of tax payments. Amends TCA 67-6-102, 67-6-702, 710.

Rep. Bragg moved that House Bill No. 1732 be passed on third and final consideration.

Rep. Bragg moved to amend as follows:

Amendment No. 1

Amend House Bill No. 1732 adding language to the amendatory language of Section 1 thereof so that, as amended it shall read as follows:

(J) Engages in the regular or systematic solicitation of a consumer market in this state by the distribution of catalogs, periodicals, advertising fliers, or other advertising, or by means of print, radio or television media, by telegraphy, telephone, computer data base, cable, optic, microwave, or other communication system.

On motion, Rep. Bragg withdrew Amendment No. 1.

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Rep. Bragg moved that House Bill No. 1732 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes	2

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Naifeh, Napier, Odom, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray -- 92.

Representatives voting no were: Moore (Shelby) and Shirley -- 2.

A motion to reconsider was tabled.

House Bill No. 1737 -- Taxes, Real Property -- Changes definition of "taxpayer" and "person" as it relates to real property taxation. Entitles disabled and elderly to relief. Amends TCA 67-5-701--704.

Rep. Bragg moved that House Bill No. 1737 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray -- 94.

A motion to reconsider was tabled.

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House Bill No. 1739 -- Taxes, Real Property -- Extends time for reappraisal of real property. Amends TCA 67-5-1601.

Rep. Bragg moved that House Bill No. 1739 be passed on third and final consideration.

Rep. Bragg moved to amend as follows:

Amendment No. 1

Amend House Bill No. 1739 by renumbering Section 2 as Section 3, and by adding the following new Section 2:

SECTION 2. Notwithstanding any provision of law to the contrary, the certified appraisal ratio of counties whose reappraisal is delayed by enactment of Section 1, for purposes of determining such counties' adjusted county property values under the Education Finance Act, shall be fixed at the level established for 1988 until such counties are reappraised.

Rep. Bragg moved that House Bill No. 1739 be reset to the calendar for Thursday, March 3, 1988, which motion prevailed.

House Bill No. 1740 -- Taxes, Assessment -- Redefines "back assessment" for the purpose of certain property assessments. Amends TCA 67-1-1001.

Rep. Bragg moved that House Bill No. 1740 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray -- 95.

A motion to reconsider was tabled.

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House Bill No. 1589 -- Game and Fish Laws -- Requires big game hunters to have written permission of landowner. Amends TCA 70-4-106.

Rep. Jared moved that House Bill No. 1589 be passed on third and final consideration.

Rep. Hillis moved to amend as follows:

Amendment No. 1

Amend House Bill No. 1589 by deleting Sections 1 and 2 in their entirety and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 70-4-106, is amended by deleting subsection (b) in its entirety and by substituting instead the following:

(b)(1) Notwithstanding the provisions of subsection (a), it shall be unlawful for any person to hunt, take, chase, trap, or kill any big game as defined in Section 70-1-101(4) upon lands posted with signs approved by the Wildlife Resources Agency bearing the language "Hunting By Written Permission Only" and bearing the name of the landowner or the person in possession or control of such lands, without having first obtained the written permission of or be accompanied by the landowner or person in possession or control of such lands, and having authority from the owner to give such permission. Every person who hunts, takes, chases, traps or kills any big game on such lands shall have his written permission in his immediate possession at all times and shall display the same upon demand of an officer of the wildlife resources agency, a sheriff, or other peace officer charged with the enforcement of the laws of the state.

(2) The posting of signs pursuant to this section must be visible at all major points of ingress and at one hundred-yard intervals of the perimeter of the lands being posted. Written permission shall not be required of the landowner, the landowner's dependents, the person in possession or control of such lands, or the dependents of the person in possession or control of such lands.

(3) Any person who posts signs pursuant to this section without authorization from the landowner shall be subject to the penalties imposed by subsection (c).

SECTION 2. Tennessee Code Annotated, Section 70-4-106, is further amended by adding a new subsection thereto, as follows:

(c)(1) Any violation of the provisions of this section shall be a misdemeanor and, upon conviction, shall be punishable by a fine of not less than twenty-five dollars (\$25.00) nor more than fifty dollars (\$50.00), or by imprisonment not to exceed eleven months and

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twenty-nine days, or both. Furthermore, upon conviction for any violation of the provisions of this section, the court may revoke the license of the person convicted. Any license that is so revoked shall be surrendered to the court.

(2) The provisions of this section shall be enforceable and may be prosecuted by all officers of the wildlife resources agency, sheriffs, and other peace officers charged with the enforcement of the laws of the state.

SECTION 3. This act shall take effect July 1, 1988, the public welfare requiring it.

On motion, the amendment was adopted.

Thereupon, Rep. Jared moved that House Bill No. 1589, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	91
Noes	4

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Phillips, Pruitt, Purcell, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray -- 91.

Representatives voting no were: Ellis, Moody, Ivy, and Rhinehart -- 4.

A motion to reconsider was tabled.

•*House Bill No. 1991 -- Safety, Dept. of -- Gives commissioner authority to promulgate rules and regulations. Amends TCA, Title 4, Ch. 3.

On motion, House Bill No. 1991 was made to conform with Senate Bill No. 2211.

On motion, **Senate Bill No. 2211**, on same subject, was substituted for House Bill No. 1991.

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Rep. Crain moved that Senate Bill No. 2211 be passed on third and final consideration.

Rep. Crain moved to amend as follows:

Amendment No. 1

Amend Senate Bill No. 2211 by deleting the words and figures "Title 4, Chapter 3," in the directory language of Section 1 and by substituting instead the words and figures "Title 4, Chapter 3, Part 20,".

AND FURTHER AMEND by deleting the word "commissioner" in the amendatory language in Section 1 and by substituting instead the words "commissioner of safety".

On motion, the amendment was adopted.

Thereupon, Rep. Crain moved that Senate Bill No. 2211, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Fransley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray -- 95.

A motion to reconsider was tabled.

***House Bill No. 1594 -- Criminal Offenses -- Creates the criminal offense of *trespass with a motor vehicle. Amends TCA 39-3-102.**

Rep. Garrett moved that House Bill No. 1594 be passed on third and final consideration.

Rep. Garrett moved to amend as follows:

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Amendment No. 1

Amend House Bill No. 1549 by deleting from the amendatory language of subsection (a) of Section __ of SECTION 1 the following words and punctuation:

" , or imprisoned in the county jail or workhouse for not more than thirty (30) days, or both, in the discretion of the court".

On motion, the amendment was adopted.

Thereupon, Rep. Garrett moved that House Bill No. 1594, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray -- 94.

A motion to reconsider was tabled.

House Bill No. 2335 -- Pensions and Retirement Benefits -- Allows Tennessee State Employees Association to participate in TCRS. Amends TCA, Title 8, Ch. 35.

On motion, House Bill No. 2335 was made to conform with Senate Bill No. 2045.

On motion, **Senate Bill No. 2045**, on same subject, was substituted for House Bill No. 2335.

Rep. Rhinehart moved passage of Senate Bill No. 2045 on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	0

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Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray -- 94.

A motion to reconsider was tabled.

House Bill No. 1851 -- Pensions and Retirement Benefits -- Authorizes Tennessee County Commissioners Association to be member of TCRS under certain circumstances. Amends TCA, Title 8, Ch. 35, Pt. 2.

Rep. Rhinehart moved that House Bill No. 1851 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	90
Noes	2
Present Not Voting	1

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Frensley, Gaia, Garrett, Harrill, Hassell, Hawkins, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stallings, Starnes, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray -- 90.

Representatives voting no were: Stafford and Swann -- 2.

Representative present and not voting was: Good -- 1.

A motion to reconsider was tabled.

***House Bill No. 1989 -- Revenue, Dept. of --** Establishes uniform formula of penalties and fees for delinquent tax payments. Amends and repeals sections of TCA.

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Rep. Rhinehart moved that House Bill No. 1989 be passed on third and final consideration.

Rep. Rhinehart moved to amend as follows:

Amendment No. 1

Amend House Bill No. 1989 by deleting from the amendatory language of Section 1, subdivision (4) in its entirety and by substituting instead the following:

(4) Likewise, in the case of a revision of any federal estate tax resulting from an examination by the internal revenue service which results in an estate owing the state additional estate tax, the statutory period for the assessment of additional estate tax resulting from such revision shall not expire prior to the expiration of two (2) years from the date the commissioner or his delegate is notified in writing by the taxpayer of such revisions; and

On motion, the amendment was adopted.

Thereupon, Rep. Rhinehart moved that House Bill No. 1989, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray -- 94.

A motion to reconsider was tabled.

***House Bill No. 1992 -- Drivers' Licenses -- Enacts "Uniform Classified and Commercial Driver License Act of 1988". Amends TCA, Title 55, Ch. 7.**

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Rep. Robinson (Davidson) moved passage of House Bill No. 1992 on third and final consideration.

Rep. Robinson (Davidson) moved to amend as follows:

Amendment No. 1

House Bill No. 1992 is amended by adding the following as subdivision (d) to the amendatory language of Section 2 subsection (11):

(d) However, (1) vehicles hauling farm or nursery products or farm or nursery equipment for the express use on a farm or nursery and operated exclusively intrastate, (2) single unit vehicles designed and used exclusively as fire apparatuses and operated by non-paid volunteer firemen, and (3) buses operated by religious organizations, as defined by applicable Internal Revenue Service regulations, which are driven by non-paid volunteers and used solely and exclusively in the ministry of that organization but not as school buses shall not be considered a commercial motor vehicle for the purpose of this act. This exemption shall not apply to any tractor-trailer combination.

On motion, the amendment was adopted.

Rep. Robinson (Davidson) moved to amend as follows:

Amendment No. 2

Amend House Bill No. 1992 by adding the following new Section (Section 14.) at the end of the bill to read as follows:

SECTION 14. If any provision of this chapter or the applications of any provision of this chapter to any person or circumstance is held invalid, the application of such provision to other persons or circumstances and the remainder of this act, shall not be affected thereby.

On motion, the amendment was adopted.

Rep. Robinson (Davidson) moved to amend as follows:

Amendment No. 3

House Bill No. 1992 be and is hereby amended as follows:

1. Amend Section 5 (a) (1) by deleting the existing colon and substituting a period and by adding the following at the end of the existing sentence:

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"Provided, however, persons nineteen (19) years-of-age shall be permitted to apply for a Class C license if no special endorsements are required and the driver will be operating solely intrastate. Provided further that persons eighteen (18) years-of-age shall be permitted to apply for a Class "C" license upon successfully completion of a certified drivers training program for commercial motor vehicles approved by the department and no special endorsements are required and driver will be operating solely intrastate."

2. Amend Section 6 (e) by deleting the amendatory language of part "(7)" in its entirety and substituting instead the following:

"(7) Any person violating subsection (b) of this Section, shall upon conviction be fined not less than \$250.00 nor more than \$500.00, and imprisoned for not less than two (2) days nor more than thirty (30) days. Any person violating subsection (c) of this Section, shall upon conviction be fined not more than \$500.00."

Section "6" is further amended by deleting the amendatory language of part (9) in its entirety and substituting instead the following:

"(9) Any person violating parts (1), (2), and (3) of this subsection, shall upon conviction be punished pursuant to the requirements of 55-10-403, except for provision of license suspension which shall be in accordance with this subsection."

Section "6" is further amended by deleting from part (10) the words, symbols, and numbers:

"(3) and".

On motion, the amendment was adopted.

Rep. Robinson (Davidson) moved to amend as follows:

Amendment No. 4

Amend House Bill No. 1992 in Section 2 (39) by deleting the semicolon at the end of the sentence and adding the following: and is operated for compensation;

AND FURTHER AMEND in Section 7(f)(1)(K)(1) by deleting the period at the end of the sentence, adding a comma after the word "issued", and by adding the following: and permit over-the-counter issuance

On motion, the amendment was adopted.

Rep. Long moved to amend as follows:

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Amendment No. 5

Amend House Bill No. 1992 by inserting the following language between the second and third sentences of subsection (f)(1)(K)(2)(c) of the amendatory language of Section 7:

The commissioner may at his discretion solicit outside consulting services in order to accomplish on a competitive basis the design and application of the system and implementation thereof.

On motion, the amendment was adopted.

Thereupon, Rep. Robinson (Davidson) moved that House Bill No. 1992, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	58
Noes	33
Present and Not Voting	3

Representatives voting aye were: Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Coffey, Collier, Copeland, Crain, Davidson, DePriest, Duer, Ellis, Frensey, Gaia, Good, Hassell, Hillis, Holcomb, Holt, Hurley, Ivy, Jackson, Jared, Jones, U. (Shelby), Kernell, King, Kisber, Lawson, Long, McAfee, Miller, Moore (Shelby), Naifeh, Nance, Napier, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Severance, Shirley, Swann, Tankersley, Tanner, Turner (Hamilton), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wood, Yelton and -- 58.

Representatives voting no were: Bell, Bewley, Cross, Curlee, Davis (Cocke), Davis (Gibson), Davis (Knox), Dixon, Garrett, Harrill, Hawkins, Henry, Hobbs, Huskey, Jones R. (Shelby), Kent, May, Montgomery, Moody, Moore (Lawrence), Phillips, Pruitt, Purcell, Odom, Robinson (Washington), Scruggs, Stafford, Stallings, Starnes, Turner C. (Shelby), Turner L. (Shelby), Wolfe, and Mr. Speaker Murray -- 33.

Representatives present and not voting were: DeBerry, Herron, and Love -- 3.

A motion to reconsider was tabled.

*Senate Bill No. 1692 -- Corporations -- Enacts "Tennessee Business Combination Act" and "Tennessee Control Share Acquisition Act". Amends TCA, Title 48.

Further consideration of Senate Bill No. 1692, previously substituted for House Bill No. 2031, and considered on Thursday, February 25, 1988, at which time the motion was made to pass on third and final consideration.

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Rep. Starnes renewed his motion for passage of Senate Bill No. 1692 on third and final consideration, which motion prevailed by the following vote:

Ayes	69
Noes	19
Present and Not Voting	5

Representatives voting aye were: Bell, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Ellis, Frensley, Gaia, Garrett, Good, Hawkins, Herron, Hillis, Hobbs, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Kent, Kernell, King, Kisber, Long, Love, May, Miller, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Odom, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Shirley, Stallings, Starnes, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Winningham, Wix, Wood, and Mr. Speaker Murray -- 69.

Representatives voting no were: Bewley, Coffey, Davis (Knox), Duer, Harrill, Hassell, Henry, Montgomery, Moody, Nance, Scruggs, Severance, Stafford, Swann, Tankersley, Webb, Williams, Wolfe, and Yelton -- 19.

Representatives present and not voting were: Chiles, Copeland, Holcomb, Jones U (Shelby), Lawson -- 5.

A motion to reconsider was tabled.

House Bill No. 1780 -- Taxes, Sales -- Changes requirements for local governments wishing to participate in local option revenue act. Amends TCA, Title 67, Ch. 6, Pt. 7.

Further consideration of House Bill No. 1780, previously considered on Thursday, February 25, 1988, at which time a motion was made to adopt Amendment No. 1.

Rep. Bragg moved that House Bill No. 1780 be reset to the calendar for Monday, March 14, 1988, which motion prevailed.

***House Bill No. 2057 -- Election Laws --** Requires closure of certain public schools on certain election days. Amends TCA, Titles 2, 49.

Rep. Dixon moved that House Bill No. 2057 be reset to the calendar for Thursday, March 3, 1988, which motion prevailed.

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CONSENT CALENDAR

House Bill No. 1408 -- Sunset Laws -- Extends termination date of Compact on Probation and Parole. Amends TCA, Title 4, Ch. 29; Title 40, Ch. 28.

On motion, House Bill No. 1408 was made to conform with Senate Bill No. 1469.

On motion, **Senate Bill No. 1469**, on same subject, was substituted for House Bill No. 1408.

House Bill No. 1419 -- Sunset Laws -- Extends termination date of Interstate Corrections Compact. Amends TCA 4-29-208; Title 41, Ch. 23.

On motion, House Bill No. 1419 was made to conform with Senate Bill No. 1457.

On motion, **Senate Bill No. 1457**, on same subject, was substituted for House Bill No. 1419.

House Bill No. 1425 -- Sunset Laws -- Extends termination date of Interstate Compact on Detainers. Amends TCA, Title 4, Ch. 29; Title 40, Ch. 31.

On motion, House Bill No. 1425 was made to conform with Senate Bill No. 1391.

On motion, **Senate Bill No. 1391**, on same subject, was substituted for House Bill No. 1425.

House Bill No. 2370 -- Physicians and Surgeons -- Prohibits foreign medical school graduate to receive credit toward licensing for publishing of work. Amends TCA 63-6-207.

House Bill No. 1715 -- Aircraft and Airports -- Gives airport authority operating the Tri-Cities Airport the power to promulgate, adopt and enforce traffic regulations. Amends TCA, Title 42, Ch. 3, Pt. 1.

On motion, House Bill No. 1715 was made to conform with Senate Bill No. 1855.

On motion, **Senate Bill No. 1855**, on same subject, was substituted for House Bill No. 1715.

***House Bill No. 1555** -- Courts, General Sessions -- Removes Claiborne County from certain exceptions relative to privileges exercised by general sessions judges. Amends TCA 16-15-208.

House Bill No. 1461 -- Utilities, Utility Districts -- Revises manner of appointing water district commissioners in certain counties. Amends TCA 7-82-307.

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On motion, House Bill No. 1461 was made to conform with Senate Bill No. 1499.

On motion, **Senate Bill No. 1499**, on same subject, was substituted for House Bill No. 1461.

***House Joint Resolution 0486** -- Highways, Roads and Bridges -- Provides for directional signs on I-240 to St. Francis Hospital in Memphis.

House Joint Resolution 0540 -- Memorials, Congratulations -- Honors Lincoln County Fair for harness racing.

House Joint Resolution 0543 -- Memorials, Retirement -- Honors Dr. Robert L. Saunders on retirement from Memphis State University.

House Joint Resolution 0546 -- Memorials, Professional Achievement -- Honors Dr. Edward J. Boling for service as President of University of Tennessee.

House Bill No. 2185 -- Loudon -- Revises election laws. Amends Chapter 229, Private Acts of 1927, as amended.

House Bill No. 2453 -- Fayette County -- Sets monthly compensation of the county board of public works. Amends Chapter 234, Private Acts of 1974.

Rep. Phillips moved that all House and Senate Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions on the Consent Calendar be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Frensey, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray -- 94.

A motion to reconsider was tabled.

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HOUSE ACTION ON SENATE AMENDMENTS

***House Joint Resolution 0067** -- General Assembly, Studies -- Creates special joint legislative committee to study non-public postsecondary vocational education institutions.

Senate Amendment No. 1

Amend House Joint Resolution No. 67 by deleting the last resolving clause in its entirety and substituting instead the following:

BE IT FURTHER RESOLVED, That the special committee shall report its findings and recommendations, including any proposed legislation to the Ninety-sixth General Assembly no later than January 19, 1989, at which time the committee shall cease to exist.

Rep. DeBerry moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes	88
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Frensey, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Herron, Hillis, Hobbs, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Phillips, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray -- 88.

A motion to reconsider was tabled.

MOTION TO RECONSIDER

Senate Bill No. 1549 -- Licenses -- Allows certain children to sell bakery goods without a license.

Rep. Buck moved that the motion to reconsider Senate Bill No. 1549 be lifted from the table, which motion prevailed.

Rep. Buck moved that the House reconsider its action in passing Senate Bill No. 1549 on third and final consideration, as amended, which motion prevailed.

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Rep. Buck moved that the House reconsider its action in adopting Amendment No. 1, which motion prevailed.

Rep. Buck moved that Amendment No. 1 be withdrawn, which motion prevailed.

Thereupon, Rep. Buck moved passage of Senate Bill No. 1549 on third and final consideration, which motion prevailed by the following vote:

Ayes	91
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray -- 91.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. Davidson moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 555 out of order, which motion prevailed.

House Joint Resolution 0555 -- Naming and Designating -- Designates the first Tuesday in March as National Teachers' Day. by *Davidson.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Davidson, the resolution was adopted.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Wheeler moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 552 out of order, which motion prevailed.

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House Joint Resolution 0552 -- Memorials, Congratulations -- Congratulates Dancy L. Jones on her appointment as executive director of the Tennessee Film, Tape and Music Commission. by *Wheeler, *Tanner, *Naifeh, *Burnett.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Wheeler, the resolution was adopted.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Collier moved that the rules be suspended for the purpose of introducing House Resolution 98 out of order, which motion prevailed.

House Resolution No. 0098 -- Memorials, Congratulations -- Congratulates Representative Don Ridgeway on fortieth birthday. by *Burnett, *Collier, *Head.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Collier, the resolution was adopted.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No. 378; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

RULES SUSPENDED

Rep. Kernell moved that the rules be suspended for the purpose of introducing Senate Joint Resolution No. 378 out of order, which motion prevailed.

Senate Joint Resolution 0378 -- Memorials, Condolence -- Honors the memory of Peter "Memphis Slim" Chapman.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Kernell, the resolution was concurred in.

A motion to reconsider was tabled.

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BILL RE-REFERRED

Rep. Buck moved that House Bill No. 1609 be recalled from the Judiciary Committee and referred to the General Welfare Committee, which motion prevailed.

RULES SUSPENDED

Rep. Hillis moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 550 out of order, which motion prevailed.

House Joint Resolution 0550 -- Memorials, Congratulations -- Honors Joseph Laban Wallace on 100th birthday. by *Hillis, *Rhinehart, *West, *Jared, *Murray.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Hillis, the resolution was adopted.

A motion to reconsider was tabled.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 546: Rep. Herron added as a prime sponsor.

House Joint Resolution No. 552: Rep. Burnett added as a prime sponsor.

House Bill No. 1333: Reps. Williams and Bivens added as prime sponsors.

House Bill No. 1737: Rep. B. Turner (Hamilton) added as a prime sponsor.

House Bill No. 2323: Reps. Duer and Frensley added as sponsors.

INTRODUCTION OF RESOLUTIONS

House Resolution No. 0096 -- Civil Procedure -- Approves rules of civil procedure promulgated by Supreme Court. by *Burnett.

The Speaker referred House Resolution No. 96 to the Judiciary Committee.

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House Resolution No. 0097 -- General Assembly, Review Or Ratification of Rules -- Approves amendments and revisions to Tennessee Rules of Criminal Procedure. by *Burnett.

The Speaker referred House Resolution No. 97 to the Judiciary Committee.

House Joint Resolution 0548 -- Memorials, Professional Achievement -- Honors James G. Douglas for career as educator. by *Crain.

The Speaker referred House Joint Resolution No. 548 to the Calendar and Rules Committee.

House Joint Resolution 0549 -- Constitutional Amendments -- Proposes constitutional amendment to allow lotteries. Amends Constitution of Tennessee, Article XI, Section 5. by *Kernell.

The Speaker referred House Joint Resolution No. 548 to the Judiciary Committee.

RESOLUTIONS LYING OVER

***Senate Joint Resolution 0296** -- General Assembly, Proclamations -- Commemorates June 14 as Flag Day and proclaims "Our Flag" by Gwen Myers as the official state poem for Flag Day.

The Speaker referred Senate Joint Resolution No. 296 to the State and Local Government Committee.

INTRODUCTION OF BILLS

***House Bill No. 2457** -- Criminal Offenses -- Establishes offense of operating credit repair services organization. Amends TCA, Title 39, Ch. 3. by *Turner C.

Passed first consideration.

House Bill No. 2458 -- Fayette County -- Revises compensation of members of board of public works. Amends Chapter 234, Private Acts of 1974. by *Stallings, *Naifeh.

Passed first consideration.

***House Bill No. 2459** -- Dickson -- Authorizes Dickson County to regulate use of and speed limits on county roads. by *Jackson.

Passed first consideration.

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SENATE BILLS ON FIRST CONSIDERATION

***Senate Bill No. 1410** -- Banks and Financial Institutions -- Held on the Clerk's desk pending third consideration of the Companion House Bill No. 1372.

***Senate Bill No. 1492** -- Claims Commission, Tennessee -- Held on the Clerk's desk pending third consideration of the Companion House Bill No. 1627.

***Senate Bill No. 1709** -- County Officers -- Held on the Clerk's desk pending third consideration of the Companion House Bill No. 1808.

Senate Bill No. 1860 -- Housing -- Held on the Clerk's desk pending third consideration of the Companion House Bill No. 1557.

Senate Bill No. 2203 -- Civil Service -- Held on the Clerk's desk pending third consideration of the Companion House Bill No. 1983.

HOUSE BILLS ON SECOND CONSIDERATION

***House Bill No. 2456** -- Education, Dept. of -- Passed second consideration and referred to the Education Committee.

ENGROSSED BILLS

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 1555, 1589, 1594, 1989, 2185, 2370 and 2453; and House Joint Resolutions Nos. 486, 540, 543, 546, 550 and 552; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 1343, 1451, 1513, 1546, 1657, 1892, 2117, 2147, 2189 and 2472; also, Senate Joint Resolutions Nos. 363 and 364; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SIGNED

The Speaker announced that he had signed the following: Senate Bills Nos. 1343, 1451, 1513, 1546, 1657, 1892, 2117, 2147, 2189 and 2472; Senate Joint Resolutions Nos. 363 and 364.

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MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 1328, 1398 and 1636; also, House Joint Resolutions Nos. 523, 524, 525, 526, 527, 528 and 529; signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 1328, 1398 and 1636; and House Joint Resolutions Nos. 523, 524, 525, 526, 527, 528 and 529; for his action.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

ENGROSSED BILLS

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 1499 and 1839; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

ENGROSSED BILLS

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill No. 1765; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

ENGROSSED BILLS

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 1501 and 1732; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

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ENGROSSED BILLS

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill No. 1737; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

ENGROSSED BILLS

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 1740 and 1851; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

ENGROSSED BILLS

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Joint Resolution No. 555; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No. 616.

The Senate refused to recede from its action in adopting Amendment No. 2.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No. 1388; substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

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MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 531, 535 and 555; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 1345, 1485, 1499, 1670, 1737 and 1798; substituted for Senate Bills on same subjects and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENROLLED BILLS

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 1345, 1485, 1499, 1670, 1737 and 1798; and House Joint Resolutions Nos. 67 and 535; and find same correctly enrolled and ready for the signatures of the Speakers.

BETTY KAY FRANCIS,
Chief Engrossing Clerk

ENGROSSED BILLS

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill No. 1992; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES

In accordance with Rule No. 48, the following local bills, having received authorization for passage by the local legislative delegation, were transmitted to the Committee on Calendar and Rules: House Bills Nos. 1241, 1342, 2242, 2311, 2441, 2442, 2454 and 2455.

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REPORT OF COMMITTEE ON CALENDAR AND RULES
CONSENT CALENDAR

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bills and/or resolutions on the Consent Calendar for Wednesday, March 2, 1988: House Bills Nos. 1241, 1342, 2242, 2311, 2441, 2442, 2454 and 2455; and House Joint Resolution No. 548.

PHILLIPS, Chairman.

ROLL CALL

The roll call was taken with the following results:

Present 95

Representatives present were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray -- 95.

On motion of Rep. Naifeh, the House adjourned until 2:00 P.M. on Wednesday, March 2, 1988.